

**DECL**

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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

WASHINGTON & SANDHILL  
HOMEOWNERS ASSOCIATION,

Plaintiff(s),

v.

BANK OF AMERICA, N.A, dba BAC HOME  
LOANS SERVICING, L.P. FKA  
COUNTRYWIDE HOME LOANS  
SERVICING, L.P., a national corporation;  
SHAUN DONOVAN; SECRETARY OF  
HOUSING AND URBAN DEVELOPMENT OF  
WASHINGTON D.C. 20410, a government  
entity; DOES I through X; and ROE BUSINESS  
ENTITIES; I through X,

Defendants.

Case No.: 2:13-cv-1845-GMN-GWF

**DECLARATION OF YENY BELTRAN IN  
RESPONSE TO COURT'S ORDER #22**

**DECLARATION OF YENY BELTRAN**

I, Yeny Beltran, declare as follows:

1. I make this declaration in response to this Court's order #22.

2. I am an Assistant Vice President, Operations Team Manager for Bank of America, N.A. I have reviewed Order #22. I am familiar with the Federal Housing Agency (FHA) insurance regarding the home loan issued to Emiliano and Martha Renteria (collectively, **Renteria**).

3. Attached is the HUD-1 final settlement statement pertaining to the Renteria's mortgage. (See **Exhibit A**, HUD-1).<sup>1</sup> A HUD-1 statement is required for all federally related mortgages. Renteria was required to make a certification because the mortgage was an FHA insured mortgage. (*Id.* at pg. 8).

4. The Renteria's mortgage was originated on April 28, 2008. Renteria paid an FHA monthly mortgage insurance premium until August 1, 2009. (See **Exhibit B**, Page 3 of Cancellation Notice).<sup>2</sup>

5. Borrowers with mortgages with terms greater than 15 years were eligible to have their mortgage insurance premiums cancelled when the loan to value ratio reached 78% of the lower of the initial sales price or the appraised value based on the original amortization schedule, provided the borrower has paid the annual mortgage insurance premiums for at least 5 years. (*Id.*) Renteria's mortgage was originated on April 28, 2008. Renteria's original loan to value ratio was 98.4549%.

6. The cancellation of the borrower's mortgage FHA insurance premium had no effect on the contract for insurance, which remained in effect for the loan's full term. (*Id.*)

7. After August 1, 2009, Bank of America paid the monthly mortgage premiums to FHA of \$56.97. (See **Exhibit C**, Payment History). Bank of America's last payment to FHA was made on July 5, 2013. (*Id.*)

8. The deed of trust recorded on May 1, 2008 indicates it is an FHA insured mortgage. (See **Exhibit D**, FHA Nevada Deed of Trust).<sup>3</sup> The deed of trust indicates that mortgage insurance premiums must be paid to HUD and indicates how those payments will be applied in the order of payments section of the deed of trust. (*Id.* at pg. 2, para. 2-3).

9. Exhibits A-D are a true and correct copies of documents contained in the file dedicated to Renteria's Mortgage. Based on my experience and job duties, I am familiar with the

<sup>1</sup> We have redacted the borrower's loan number, except the last four digits, to protect the borrower's privacy.

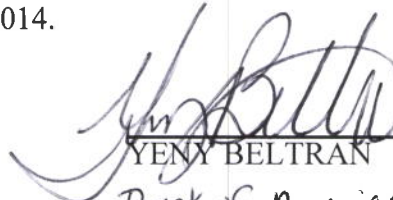
<sup>2</sup> The cancellation notice originally contained four pages. Only Page 3 of the cancellation notice remains in the file.

<sup>3</sup> Again, we have redacted the borrower's loan number, except for the last four digits, to protect the borrower's privacy.

1 manner and procedure in which such documents are created, maintained, and utilized in the regular  
2 course of business for Bank of America, N.A. These records were saved in the Renteria's mortgage  
3 file at or near the time of their creation or when Bank of America, N.A.'s received such documents.  
4 It is the regular practice of Bank of America, N.A. to make and keep such records. These records  
5 were kept by Bank of America, N.A. in its ordinary course of business.

6 I declare under penalty of perjury the foregoing is true and correct.

7 Executed this 12th of September, 2014.

8  
9  9/12/2014  
YENY BELTRAN  
Bank of America N.A.  
AVP, Operations Team Mgr.

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